

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In Re: Irish Bank Resolution Corporation Limited

John Flynn, Sr., et al.,	:	
	:	
Appellants,	:	
	:	
v.	:	C. A. No. 14-108
	:	
Kieran Wallace, et al.,	:	Bankruptcy Case No. 13-12159 (CSS)
	:	AP No. 13-116
Appellees.	:	

RECOMMENDATION

At Wilmington this 18th day of February , 2014.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted an initial review, which included information from counsel, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process. In light of the nature of the dispute and the legal issues involved, neither appellants nor appellees wish to pursue mediation, and both believe mediation will not result in a consensual resolution

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory

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referral for mediation and proceed through the appellate process of this Court. In light of the parties' joint request to be relieved of mandatory mediation, the court understands no filing of objections to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1 will occur.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE